

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM****SUBJECT:** Garda Avenue Right Of Way Vacate - Continued From 8/28/07**DEPARTMENT:** Planning and Development **DIVISION:** Development Review**AUTHORIZED BY:** Dori DeBord**CONTACT:** Brian Walker**EXT:** 7337**MOTION/RECOMMENDATION:**[Continued From 8/28/2007]

1. Approve the request to adopt and authorize the Chairman to execute, a resolution to vacate and abandon a portion of the unimproved public right-of-way known as Garda Avenue as recorded in Plat Book 4, Page 18 in Section 31, Township 19S, Range 30E subject to dedication of a ten foot drainage easement.
2. DENY the request to adopt and authorize the Chairman to execute, a resolution to vacate and abandon a portion of the unimproved public right-of-way known as Garda Avenue as recorded in Plat Book 4, Page 18 in Section 31, Township 19S, Range 30E.
3. CONTINUE the public hearing until a time and date certain.

District 5 Brenda Carey

Brian M. Walker

BACKGROUND:

This request was continued from the August 28, 2007 Board meeting.

Pam & Melvin Olson, applicants, are requesting to vacate and abandon a portion of the unimproved public right-of-way known as Garda Ave. as shown in Exhibit A and recorded in Plat Book 4, Page 18 in Section 31, Township 19S, Range 30E.

The intention of the vacate is to allow for the construction of a circular driveway.

The applicant has provided letters from all applicable utility companies stating "no objections" to the request.

Review by staff of new information, finds that vacating the subject R.O.W. could pose an access problem for emergency vehicles needing to get to the southern end of Garda Avenue.

The vacate, if approved, would be contingent upon the dedication of a ten foot drainage easement to be divided down the center of the vacated R.O.W. and shared by the Olsons, Colleen Schmidt, Robert and Norma Stahl and Dale & Debra Wagner.

STAFF RECOMMENDATION:

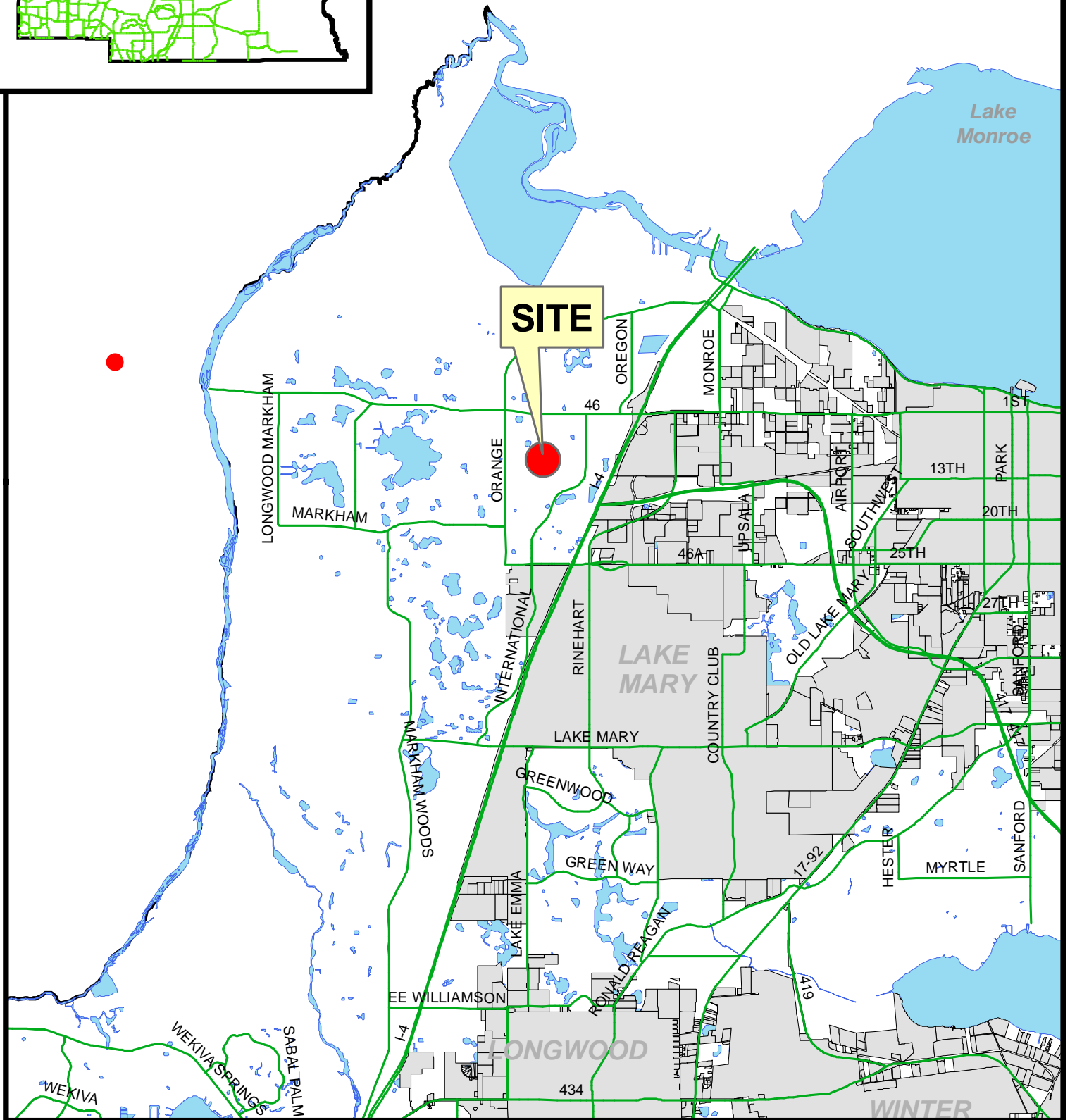
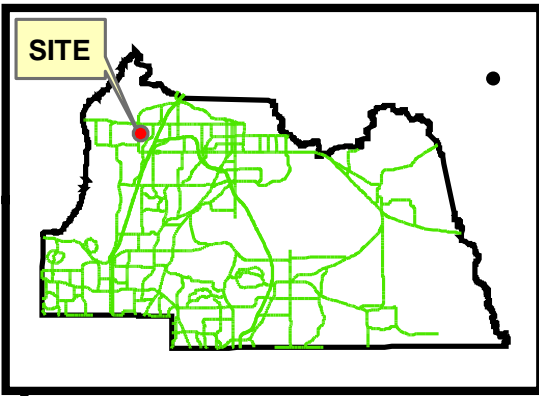
Based upon new information regarding emergency access, staff recommends that the Board deny the request to adopt and authorize the Chairman to execute, a resolution to vacate and abandon a portion of the unimproved public right-of-way known as Garda Avenue as recorded in Plat Book 4, Page 18 in Section 31, Township 19S, Range 30E subject to the dedication of a ten foot drainage easement.

ATTACHMENTS:

1. Area Map - Garda Ave.
2. Location Map - Garda Ave.
3. Aerial Map - Garda Ave.
4. Garda Ave. Resolution
5. Exhibit A - Sketch of Description

Additionally Reviewed By:

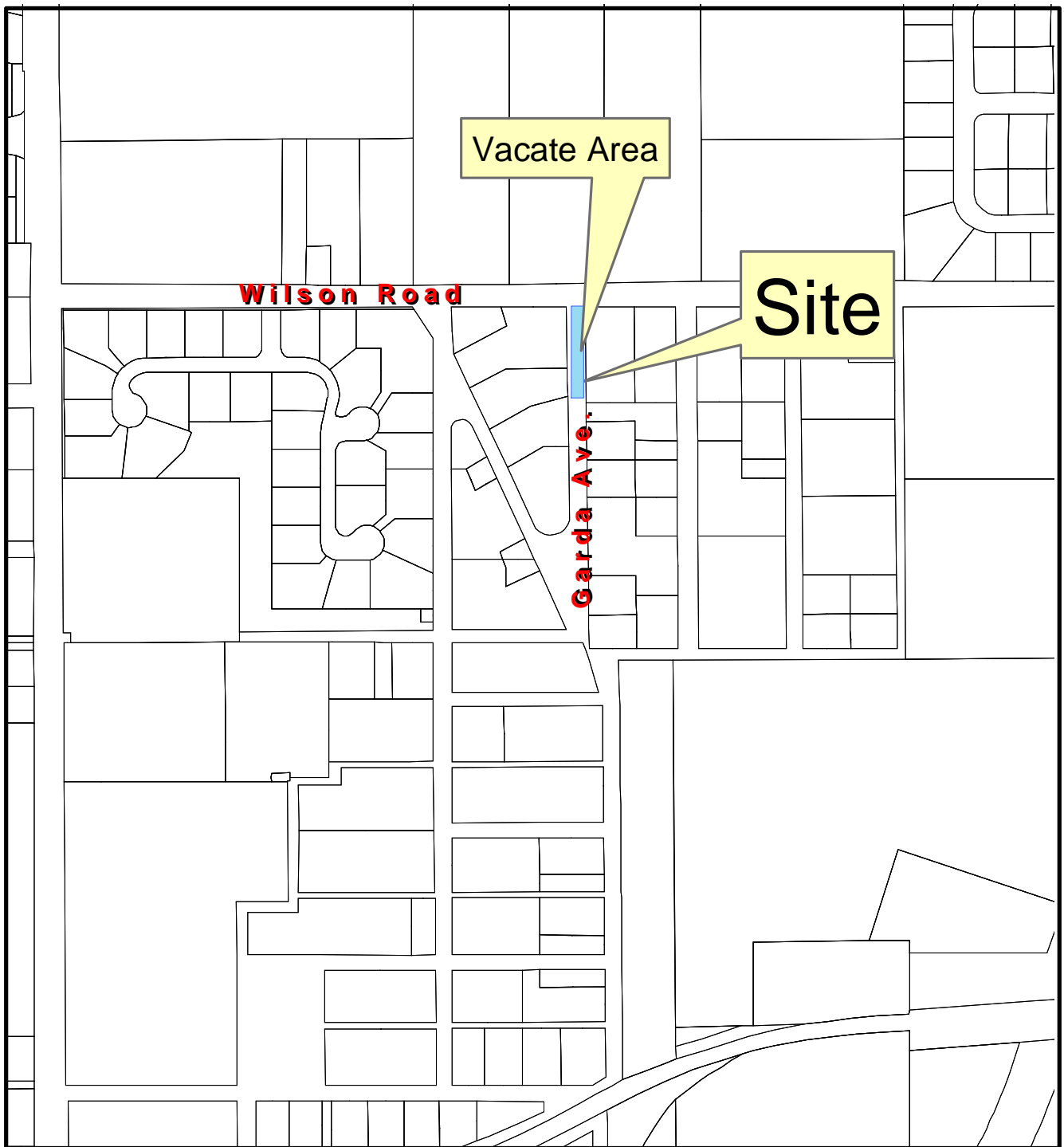
☒ County Attorney Review (Kathleen Furey-Tran)



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Area Map

Garda Ave. ROW Vacate



**Location Map
Garda Ave. Vacate**





**Aerial Map
Garda Ave. ROW**



RESOLUTION NO.: 2007-R-

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 25th DAY OF September A.D., 2007.

**RESOLUTION TO VACATE AND ABANDON A
RIGHT-OF-WAY**

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Whereas, a Petition was presented on behalf of

PAM & MELVIN OLSON

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described right-of-way, to-wit:

SEE EXHIBIT A

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, having determined that the abandonment of the above described right-of-way is to the best interest of the county and the public.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described Right-of-way be, and the same is hereby abandoned, closed and vacated, and that all right in and to the same on behalf of the County and the public be, and the same is hereby disclaimed.

PASSED AND ADOPTED this 25TH day of September A.D., 2007.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**

BY:

MARYANNE MORSE

CARLTON D. HENLEY

CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

CHAIRMAN

SKETCH OF DESCRIPTION

THIS IS NOT A BOUNDARY SURVEY

PREPARED FOR:
MELVIN AND PAM OLSON

LEGAL DESCRIPTION: THAT PART OF THE RIGHT-OF-WAY OF GARDA AVENUE AS SHOWN ON THE PLAT OF 1st ADDITION TO SYLVAN LAKE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN at the Northwest corner of Lot 105, 1st ADDITION TO SYLVAN LAKE, according to the Plat thereof as recorded in Plat Book 4, Page 18, Public Records of Seminole County, Florida; run thence N 90 degrees 00' 00" W as a basis of bearings a distance of 50.00 feet to the Northeast corner of lot 32, said plat of 1st ADDITION TO SYLVAN LAKE; thence run S 0 degrees 02' 57" W along the east line of lots 32, 31, 30, 29, 28, and 27 of said plat a distance of 260.00 feet; thence run S 90 degrees 00' 00" E a distance of 50.00 feet to the Southwest corner of lot 109 of said plat of 1st ADDITION TO SYLVAN LAKE; thence run N 0 degrees 02' 57" E along the west line of lots 109, 108, 107, 106, and 105 a distance of 260.00 feet to the POINT OF BEGINNING. Subject to an easement for drainage purposes over the West 10.0 feet of the East 30 feet thereof. Contains 0.298 acres more or less.

C/L WILSON ROAD (ALSO KNOWN AS WILSON STREET) 50' R/W

SIXTH STREET PER PLAT

25' R/W

N 90-00-00 W
50.00

N 90-00-00 W (ASSUMED BEARING BASIS)

POINT OF BEGINNING

EXHIBIT A

LOT 32

LOT 31

LOT 30

LOT 29

LOT 28

LOT 27

LOT 105

LOT 106

LOT 107

LOT 108

LOT 109

LOT 110

GARDA AVENUE (50' R/W)

N 0-02-57 E 260.00

10' DRAINAGE EASEMENT

DIRT AND GRASS AREA - NOT IN PUBLIC USE

S 0-02-57 W 260.00

S 90-00-00 E
50.00

NORTH SCALE: 1" = 40 FEET

SURVEYOR'S NOTES:

SKETCH OF DESCRIPTION - NOT A SURVEY

THIS DOCUMENT IS NOT BASED UPON A FIELD SURVEY. THE DESCRIPTION HEREON IS BASED UPON INFORMATION PROVIDED BY THE CLIENT, AND UPON THE PUBLIC RECORDS MENTIONED HEREON. NO ABSTRACT OF TITLE IS IMPLIED WITHIN THIS DOCUMENT. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, RESTRICTIONS, AND / OR RIGHTS-OF-WAY FOR WHICH LEGAL DESCRIPTIONS WERE NOT PROVIDED. ALL LINEAR MEASUREMENTS ARE DENOTED IN DECIMAL FEET UNLESS SPECIFICALLY NOTED OTHERWISE. ALL BEARINGS AND / OR ANGLES ARE DENOTED IN DEGREES - MINUTES - SECONDS.

I CERTIFY THAT THIS DOCUMENT WAS PREPARED IN ACCORDANCE WITH FLORIDA STATUTES CHAPTER 472.

THIS DOCUMENT PREPARED BY:

PATRICK K. VANDERWYDEN, PLS
LAND SURVEYING SERVICES
6419 VINELAND ROAD
ORLANDO, FLORIDA 32819

DATE: 6/13/07

Patrick K. Vanderwyden PLS
PATRICK K. VANDERWYDEN, PLS
FLORIDA REGISTRATION # 5154